



Planning Department

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
planning@acton-ma.gov

MEMORANDUM

To: Planning Board **Date:** April 18, 2014
From: Kristen Guichard, Assistant Town Planner *KSG*
Subject: **Roosevelt Drive –**
Application for Definitive Subdivision Plan Approval (Residential Compound)

Location: 17 Washington Drive
Owner: Guido & Helene Gagliano
Applicant: Guido & Helene Gagliano
Engineer: Goldsmith, Prest & Ringwall, Inc.
Proposed Lots: 3
Proposed Units: 2 new dwelling units and 1 existing dwelling
Proposed Streets: Roosevelt Drive
Street length: +/- 427
Land area: 2.71 acres
Common Land: none
Map/Parcel: E3-88 & 88-1
Zoning: Residence 2 (R-2); Groundwater Protection District (GPD) Zone 4
Filing Date: **March 18, 2014**
Hearing: **May 6, 2014**
Decision vote: **June 16, 2014**

Attached for your review are the plan and application for the proposed “Roosevelt Drive” definitive subdivision, and comments from other Town departments, committees, and agencies. Please review the other departmental comments. They are not necessarily repeated here.

This definitive plan application was made without the preliminary plan review step that is customary for subdivisions. The law does not require a preliminary plan review procedure. But, it provides for an extended hearing and review time of 135 days (normally 90 days) from the application filing date where no preliminary plan was filed and acted upon. Nevertheless, the Department is prepared to handle the matter as closely as possible within the 90-day time frame as is reflected in the dates above, unless extended through hearing continuations.

The application is filed under Section 10 of the Subdivision Rules and Regulations (Rules) – Residential Compounds. Section 10 applies to small subdivisions and provides for many waivers from the normal design and construction standards of the Rules in order to minimize unnecessary

site impacts. The Residential Compound complies with Bylaw Section 3.8.1.5. for Common Drives. A “proof plan” is required to show in general that compliance with the normal standards is possible. A residential compound subdivision must remain a private way.

Waiver Requests

1. The design engineer on behalf of the applicant has requested general waivers from the Rules required of Section 8 and 9 seeking approval instead for a Residential Compound in accordance with Section 10 of the Rules. Section 10 contemplates such waivers in general and refers to and applies the Town’s common driveway design standards instead.

Proof Plan

2. The proof plan sufficiently demonstrates that a standard subdivision for three house lots would fit on the parcel in conformance with:
 - a. minimum lot dimensional requirement for R-2;
 - b. minimum building setback requirements for R-2;
3. The following waivers from the Subdivision Rules and Regulations would be required for the Conceptual Proof Plan:
 - a. Section 8.1.10 requires sideline radii of not less than 25 feet.
 - i. Proof plan provides a 25 foot radii for the edge of pavement at the intersection with no radii on the right-of-way
 - b. Section 8.1.11 requires streets to be laid out so that they intersect as nearly as possible at right angles and no street shall intersect any other street at less than 60 degrees. Curves of street sidelines at street intersections must have a radius of not less than 25 feet.
 - i. Proof plan provides a 25 feet radii for the edge of pavement at the intersection with no radii on the right-of-way
 - c. Section 8.1.13 requires a minimum tangent between reverse curves of 50 feet
 - i. Proof plan provides no tangents between reverse curves.
 - d. Section 8.1.17 requires residential access streets other than dead end streets, whether temporary or permanent, shall not be longer than 500 feet.
 - i. Proof plan shows an access length to the end of the residential compound way of 593.7 feet from Jackson Drive.

The requested waivers from the Proof Plan are minor in nature and would not prevent the Board from approving the Residential Compound Subdivision Plan.

Proposed Plan

The proposed plan is for a Residential Compound. Under the Subdivision Rules and Regulations, Residential Compounds refer to the Common Driveway, Zoning Bylaw Section 3.8.1.5, for design standards.

The following are minor deviations from these standards:

4. Bylaw Section 3.8.1.5 subsection (m) states there should be a 3 foot shoulder, prepared with 3-4 inches of topsoil over the same gravel base as the wear surface and seeded. The plans show 3 foot shoulders prepared with 6 inches of topsoil with gravel base extending 2 feet from the edge of pavement. The Engineer should explain why they deviated from this standard.
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5. Bylaw Section 3.8.1.5 subsection (f) requires a 20 foot-wide access and utility easement. A 20 foot-wide access and utility easement is not shown on the plans but, “Lot X” appears to be the entire layout of Roosevelt Drive. The layout is nowhere less than 25 feet wide which would seem to achieve the same objective as a 20 foot-wide access and utility easement. We prefer that “Lot X” be renamed to “Roosevelt Drive” so the area is not identified by our Assessor’s Department as a taxable lot.

Zoning

6. The three lots on the proposed Residential Compound plan are shown in conformance with the dimensional zoning requirements for R-2, as shown on the proof plan and proposed plan.
7. Groundwater Protection District Zone 4 imposes no special requirements on lots in single-family use.

Sidewalk

8. In lieu of constructing sidewalks in accordance Section 9.6 of the Rules the applicant has proposed to construct sidewalk along the north easterly side of Musket Drive from Revolutionary Road to the approximate location of the southerly side of the entrance to the pool/club house at 21 Musket Drive.

Other

9. A decision of approval must contain the special conditions for residential compounds listed in Section 10.1.1.6 of the Rules (no further division of lots, restriction on allowed land uses, and perpetual street covenants and maintenance agreements). The Private Way Maintenance Agreement should include a statement that the Town will not be requested to accept or maintain the private street, drainage system, open space, or any other improvements within the Residential Compound.
10. A standard performance guarantee will be required.
11. A certified as-built plan will be required.

History

This proposed subdivision if approved would replace a previous two lot subdivision approval granted for the same site approximately 9 years ago. Said two lot subdivision was never implemented. The applicant’s sidewalk construction proposal in the current application would implement the requirement of the previous subdivision approval.

Recommendation

We believe comments noted in paragraph #3, #4 and #5 are minor in nature for a three lot subdivision residential compound street and are within the Planning Board’s authority to grant waivers. Additional comments from other Town departments, committees and agencies are attached. Please review other departmental comments. The hearing can be closed unless issues and concerns raised by other departments or information brought forward at the public hearing suggest otherwise.

Cc: Applicant
Manager Department
Engineering Department
